

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

PUBLIC SERVICES - Commercial Taxes Department - APVAT Act, '05 - Dealers found to be not existing - List of bogus registrations identified - Disciplinary action initiated against Sri K. Sobhanachalam, Commercial Tax Officer, Mehdipatnam - Punishment of stoppage of two annual grade increments without cumulative effect imposed - Appeal Allowed partly - Punishment of stoppage of one annual grade increment without cumulative effect for six months imposed - Orders - Issued.

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REVENUE (VIG.I) DEPARTMENT

G.O.Rt.No. 564\_\_\_\_\_

Dated:13.05.2011.

Read the following :

1. Proceedings of the Commissioner of Commercial Taxes, A.P, Hyderabad No. VI/1365/2005, Dated 5.10.2009.
2. Appeal petition from Sri K. Sobhanachalam, former CTO, Mehadipatnam and presently working as CTO, Kothapet, Vijayawada-I dated 11.1.2010.

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O R D E R:

In the reference 1<sup>st</sup> read above, a punishment of stoppage of two annual grade increments without cumulative effect was imposed on Sri K. Sobhanachlam, Commercial Tax Officer for the lapses relating to issue of registration certificates to non existing dealers / bogus dealers without verification of their bonafides and he did not verify the way bill utilization with the returns filed on time and the demands also in respect of M/s. Shiva Traders for the years 2004-05 and 2005-06, while he was working as Commercial Tax Officer, Mehadipatnam, Hyderabad.

2. In the reference 2<sup>nd</sup> read above, Sri K. Sobhanachalam, former Commercial Tax Officer, Mehadipatnam and presently working as Commercial Tax Officer, Kothapet Circle, Vijayawada-I Division, has filed appeal petition before the Government. In his appeal, Sri K. Sobhanachalam, Commercial Tax Officer, among others, has stated that the Enquiry Officer never pointed out that he has committed irregularity and that the Enquiry Officer has only recorded price variations and low quantities recorded by the dealers. He has mentioned that the issue of way bills has become an extremely sensitive issue and officers are caught between dealers and Government and in such situations, the overall scenario and general performance of the officers have to be considered. Hence, he has requested the Government to consider his appeal and set-aside the punishment of orders imposed by the Commissioner of Commercial Taxes, A.P, Hyderabad in the reference 1<sup>st</sup> read above.

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3. Government have examined the appeal petition along with material available and observe that the Deputy Commissioner, C.T, Charminar Division while sending the report submitted by the Charged Officer, has specifically reported that there was no fault / involvement of the charged officer in the issue. Similarly, the inquiry officer has also concluded as not sustainable the main charge except that he found fault in not noticing the price variations, low quantities recorded by the dealers. Government also observe that on perusal of entire issue, it is found that the charged officer has discharged his duties albeit with some minor lapses in issue of way bills. Keeping in view the above, Government, have decided to reduce the punishment to stoppage of one annual grade increment without cumulative effect for 6 months.

4. Accordingly and in exercise of the powers conferred under Rule 37 of A.P. C.S (CC&A) Rules, 1991, Government hereby revise the punishment of stoppage of two annual grade increments without cumulative effect imposed by the Commissioner of Commercial Taxes in respect of Sri K. Sobhanachalam, Commercial Tax Office in the reference 1<sup>st</sup> cited to that of stoppage of one annual grade increment without cumulative effect for 6 months.

5. The Commissioner of Commercial Taxes, AP, Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANHRA PRADESH)

ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
Sri K. Sobhanachalam,  
former Commercial Tax Officer, Mehadipatnam, Hyderabad  
and presently working as Commercial Tax Officer, Kothapet, Vijaywada-I.  
through the Commissioner of Commercial Taxes, A.P, Hyderabad.  
The Commissioner of Commercial Taxes, A.P, Hyderabad.  
Copy to:  
The Revenue (CT.I) Department.  
SF.

//Forwarded :: By Order //

SECTION OFFICER.